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25          **[ADDITIONAL COUNSEL  
26          IDENTIFIED ON SIGNATURE PAGE]**

27          **IN THE UNITED STATES DISTRICT COURT FOR THE  
28          NORTHERN DISTRICT OF CALIFORNIA  
29          SAN FRANCISCO DIVISION**

30          KARL STORZ ENDOSCOPY-AMERICA,  
31          INC.

32                 Plaintiff,

33                 v.  
34          STRYKER CORPORATION, AND  
35          STRYKER COMMUNICATIONS, INC.

36                 Defendants.

37          **Case No. C 09-0355 (VRW)**

38          **STIPULATION AND [PROPOSED]  
39          ORDER EXTENDING PATENT L.R.  
40          4-3 JOINT STATEMENT DEADLINE**

41          **[CIVIL L.R. 7-12]**

42          **Hon. Vaughn R. Walker**

Pursuant to Civil Local Rule 7-12, Plaintiff and Counterclaim Defendant Karl Storz Endoscopy-America, Inc. (“KSEA”) and Defendants and Counterclaimants Stryker Corporation and Stryker Communications, Inc. (“Stryker”), by and through their attorneys, hereby stipulate to and jointly request the Court as follows:

By Order dated May 14, 2009 (Docket No. 96-1), the Court entered an initial case management order. That order included a December 17, 2009 deadline for the parties to “comply with Patent L.R. 4-3 ‘Joint Claim Construction and Prehearing Statement’” (the “L.R. 4-3 Statement”).

The parties have been diligently working to resolve issues and disagreements as to the meanings of claim limitations in dispute, but believe they could use additional time to resolve and limit the number of disputes and prepare a more focused L.R. 4-3 Statement. This would result in increased efficiency and convenience for the Court.

The parties have neither previously requested nor obtained any extension regarding the L.R. 4-3 Statement, but believe that a brief extension now from December 17, 2009 until January 7, 2010 is appropriate.

The parties do not contemplate that this extension of the L.R. 4-3 Statement deadline will alter or modify any other deadlines set by the Court, including the dates set for trial and the dates set for the claim construction hearing and related briefing.

ACCORDINGLY, IT IS HEREBY STIPULATED, with the Court's permission, that the deadline for the parties to file a L.R. 4-3 Statement be extended from December 17, 2009 until January 7, 2010.

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By: Alfredo A. Bismonte

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Dated: December 15, 2009

Respectfully submitted,

REED SMITH LLP

/s/ William R. Overend<sup>1</sup>

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By: William R. Overend

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<sup>1</sup>Pursuant to General Order No. 45, Section X, the efilier of this document attests that concurrence in the filing of this document was obtained from William R. Overend.

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2 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
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6 Date: 12/18/2009  
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